



Atty. Docket: IP 6084

EPA/1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continued Prosecution Application of:

Wadood Hamad et al.

Serial No.: 09/838,463

Group Art Unit: 1731

Filed: April 19, 2001

Examiner: Alvo, M.S.

Title: METHOD FOR MANUFACTURING PAPER  
AND PAPERBOARD USING FRACTURE  
TOUGHNESS MEASUREMENT

Hon. Commissioner of Patents & Trademarks  
Washington, D.C. 20231

**REQUEST FOR CONTINUED PROSECUTION APPLICATION  
PURSUANT TO 37 CFR § 1.53(d)**

**1. Request for Continued Prosecution Application**

This is a request to file, pursuant to 37 CFR 1.53(d), a continued prosecution (nonprovisional) application of the above-identified prior nonprovisional application. The title of this continued prosecution application is the same as set forth above.

It is further requested that this continued prosecution application utilize the file jacket and contents of the prior application, including the specification, drawings, and oath or declaration from the prior application, to constitute this new application, and that the application number of the above-identified prior application be assigned for identification purposes. 37 CFR § 1.53(d)(2)(iv).

It is also requested that the above-identified application be expressly abandoned as of the filing date accorded this continued prosecution application. 37 CFR § 1.53(d)(2)(v). A Final Rejection was mailed in this application on April 11, 2003.

**2. Papers Enclosed Herewith**

The following papers are enclosed herewith:

- ☒ Preliminary Amendment
- ☒ Designation of Address for Receipt  
of Patent Office Correspondence
- ☒ Check in amount of \$918.00

**3. No New Matter**

This application discloses and claims only subject matter disclosed in the prior application. 37 CFR § 1.53(d)(2)(ii).

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**4. Access to Prior Application**

Filing of this continued prosecution application is to be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. § 122, to the extent that any member of the public, who is entitled under the provisions of § 1.14 to access to, copies of, or information concerning, either in the prior application or any continuing application filed under the provisions of 37 CFR § 1.53(d), may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket. 37 CFR § 1.53(d)(6).

**5. 35 U.S.C. § 120 Statement**

Filing of this request is the specific reference required by 35 U.S.C. § 120 to every application assigned the application number identified in this request. No amendment in this application may delete this specific reference to any prior application. 37 CFR § 1.53(d)(7) and 1.78(a)(2).

**6. Inventorship**

This continued prosecution application names as inventors the same inventors named in the prior application on the date this continued prosecution application is being filed.

**7. Filing Fee Calculation**

The filing fee has been calculated as follows:

Basic fee for large entity		\$750
Total claims in excess of 20	(= 15) × \$18	0
Total independent claims in excess of 3	(= 2) × \$84	\$168
Multiple dependent claims	(= 0) \$280	0

Basic Filing Fee Due: \$918

**8. Fee Payment Being Made at This Time**

<u>X</u> Basic filing fee	\$918
Fee for recordation of assignment	0

Total Fees Enclosed: \$918

**9. Method of Payment of Fees**

A check in the amount of \$918.00 to cover the basic filing fee is enclosed.

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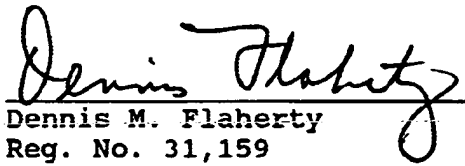
**10. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any underpayment of fees required for the filing of this application, or credit any overpayment, to Deposit Account No. 15-0699.

The Commissioner is also hereby authorized, at any time during the pendency of this application, to charge any payment of fees required to maintain the pendency of this application to Deposit Account No. 15-0699.

**11. Address for Receipt of Patent Office Correspondence**

All correspondence relating to this application should be sent to the undersigned attorney, as stated in the annexed Designation of Address for Receipt of Patent Office Correspondence.

  
Dennis M. Flaherty  
Reg. No. 31,159  
OSTRAGER CHONG & FLAHERTY LLP  
825 Third Avenue, 30th Floor  
New York, NY 10022-7519  
(212) 826-6565

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop CPA, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

June 11, 2003  
Date

  
Dennis M. Flaherty

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